REMARKS

The present amendment is a Supplemental Amendment to enter amendments to the independent claims, and Remarks and arguments regarding three new references provided by Examiner Prieto following a telephone interview (Interview A) in which the merits of reference Remillard, US 5,404,393 were further discussed.

In Interview A applicant's undersigned representative urged that Remillard does not teach downloading of *multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia*, as claimed in independent claims 16, 25, 34 and 36. In discussions in that interview the representative and the Examiner focused on the disclosure of Remillard relative to a *Genlock* mechanism and *telestration*, as in Remillard at column 3 lines 11-20. It is the applicant's position that the Genlock mechanism is a device that allows retrieval of digitally stored data, and generation of overlays from the retrieved data onto a viewable data stream, such as on a television display. The Examiner's initial position was that perhaps the Genlock retrieves the overlay data from the same data stream as the TV program, and overlays that data on the screen.

In any case the Examiner and the representative in Interview A agreed to look for references specific to *Genlock*, and to discuss Remillard further. The Examiner subsequently isolated three new references, these being York, US 5,850,340; Lemmons, US 5,880,768; and Lauder et al., US 5,587,734.

Applicant's representative reviewed these references and concluded that they all support the applicant's position that a *Genlock* mechanism retrieves digital data from storage and coordinates display of the data on a video display, such as overlay for a TV program; and that therefore does not support Remillard, by virtue of *Genlock*, teaching the claimed limitation of

multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia.

As an example, York provides, at column 6 line 52, through column 7 line 6: the following (emphasis added by underline).

"The Relink tuner/genlock cartridge 16 shown in both FIG. 3 and FIG. 4 allows more advanced control of TV tuning. The Relink tuner/genlock cartridge 16 requires cable TV service and/or a TV antenna lead to be fed to the computer module 5. The Relink tuner/genlock cartridge 16 has a TV tuner or cable TV set-top box within it. Unlike the Relink VCR and tuner command cartridge 19, which simply sends commands to a tuner, the Relink tuner/genlock cartridge 16 fully controls tuning of the TV, so that the computer software can monitor the activity of the tuner. The Relink tuner/genlock cartridge 16 also enables the use of computer software programs that can mix and/or overlay computer generated text/images onto the video display from the cable TV and/or antenna connection."

As a further example, Lemmons provides, at column 7 lines 47-62 the following:

"The remote control 78 may also be used by the viewer to invoke the interactive program guide of the present invention. When the control unit 74 receives the appropriate command, it retrieves at least a portion of the program schedule information from the memory 76. The control unit 74 provides the retrieved data to digital video circuitry 86 which converts the digital data to video signals. The interactive program guide video signals are then provided to the genlock circuitry 82 which synchronizes those signals to the television signals received from the tuning circuitry 72. The interactive program guide appears as an overlay on the television program that was being displayed on the display 84. As the viewer uses the remote control 78 to navigate in the interactive program guide, the appropriate program schedule information is retrieved from the memory 76 by the control unit 74, and ultimately displayed on the display 84. When the viewer deselects the interactive program guide, the control unit 74 stops providing data to the digital video circuitry 86, and the interactive program guide disappears."

The applicant believes these teachings establish quite clearly the purpose and function of *Genlock*, and support applicant's position relative to Remillard not teaching the limitation stated above in the independent claims;

and that Remillard should therefore be removed as the primary reference.

A second interview was held between the Examiner and applicant's representative on April 18, 2002. In that interview the applicant's representative focused on the fact that, in applicant's claimed invention the indicia associated with a command comes in real time along with the regular programming, and is separated and displayed in real time, and the references do not teach this. The Examiner stated the claims do not make the "real time" distinction clear, and agreed the present Supplemental Amendment should be filed, and that she intended to make some further inquiry at the Office regarding the use and purpose of *Genlock*; and that she would await this Supplemental amendment before initiating further action.

Version with Markings to Show Changes Made

16. (Amended) A set top box, comprising;

a broadband receiver to receive, in real time, multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia;

tuner/demultiplexer circuitry to separate in real time the displayable data stream from the multimedia information, and to form a display from the displayable data stream, the display formed including the displayable indicia; and

user-operable apparatus to select the displayable indicia;

characterized in that, in response to selecting the displayable indicia, the command associated with the selected indicia is stored and executed at a future point in time.

25. (Amended) A method for commanding a set-top box, comprising the steps of:

(a) [downloading] receiving in real time by a broadband receiver in the set-top box multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia;

(b) [forming a display] separating the displayable data stream in real time by a tuner/demultiplexer circuitry [including the indicia associated with the command], and forming a display from the displayable data stream, the display including the indicia associated with the command;

(c) selecting the displayed indicia by a user-operable apparatus;

(d) storing the command associated with the indicia; and

(e) executing the command at a future point in time.

34. (Amended) A set top box, comprising;

a broadband receiver to receive, in real time, multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia;

tuner/demultiplexer circuitry to separate, in real time, the displayable data stream from the multimedia information, and to form a display from at least a portion of the displayable data stream, the display formed including the displayable indicia; and

user-operable apparatus to select the displayable indicia;

characterized in that, in response to selecting the displayable indicia, the command associated with the selected indicia causes a portion of the multimedia data stream to be stored to be displayed at a future point in time.

36. (Amended) A method for displaying a video stream, comprising the steps of:

(a) [downloading] receiving by a broadband receiver in the set-top box, in real time, multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia;

(b) [forming a display] separating the displayable data stream in real time by a tuner/demultiplexer circuitry [including the indicia associated with

the command], and forming a display from the displayable data stream, the display including the indicia associated with the command;

(c) selecting the displayed indicia by a user-operable apparatus; and

(d) storing, as a result of the command associated with the selection, a portion of the multimedia data stream to be displayed at a future point in time.

Respectfully Submitted,
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